

**BOROUGH OF RIVER EDGE  
MAYOR AND COUNCIL  
WORK SESSION MINUTES  
MONDAY, AUGUST 8, 2016**

**PRESENT:**

Mayor	Edward J. Mignone
Councilman	Alphonse Bartelloni
Councilwoman	Ellen Busteed
Councilwoman	Mary Davis
Councilman	Thomas Papaleo

**ALSO PRESENT:**

Borough Attorney	Thomas Sarlo
Borough Administrator	Alan Negreann
Borough Clerk	Stephanie Evans

**ABSENT:**

Councilman	Vito Acquafredda
Councilwoman	Kathleen Murphy

Mayor Mignone called the meeting to order 6:30 PM by reading the Open Public Meetings Act.

**MOTION TO SUSPEND WORK SESSION AND GO INTO CLOSED SESSION**

Motion by Councilman Bartelloni, second by Councilman Papaleo.

All in favor 4-0

**CLOSED SESSION**

<u>DOCKET#</u>	<u>ITEM TITLE OR DESCRIPTION</u>	<u>STATUTORY REFERENCE</u>
16-8/8-1	PERSONNEL MATTER - NON COMPLIANCE REQUIREMENT TO FILE FINANCIAL DISCLOSURE STATEMENT	N.J.S.A. 10:4-12(8)
16-8/8-2	LITIGATION -7-ELEVEN UPDATE	N.J.S.A. 10:4-12(7)

**MOTION TO END CLOSE SESSION AND RE-ENTER WORK SESSION @ 7:20 PM.**

Motion by Councilman Bartelloni, second by Councilman Papaleo.

All in Favor 4-0

**BOROUGH ADMINISTRATOR'S TOPICS**

1. KBG Lighting – This topic was addressed by Mr. Thomas Miller of Premier Products Design, and Mr. Bob Zoeller of MUSCO. Mayor Mignone recalled about the original concept plan to replace the lights at KBG field, the initial cost estimate was with MUSCO equipment and some assumptions and allowances in terms of the cost for the site work, foundation and etc. In part due diligence as we expected we did some technical work, the soils we found consistent with the area, but difficult for bearing construction capacity which trigger a redesign or a reconsideration of how we are going to design a foundation system for these light poles and potentially caused a significant increase in the project cost. Mr. Zoeller agreed with that assessment. Mayor Mignone said he has issues or concerns with how the existing lights were installed and how they have been standing for a number of years. The question came up whether there were possible alternatives, by using MUSCO's, he forgot the term, replace the lighting heads. Mr. Zoeller stated that yes, we can utilize the existing poles. Mayor Mignone asked the way he understands all

the documentation at this point MUSCO is still proposing the original design scheme but now we are looking at maybe using timber piles instead of concrete filled steel. Mr. Zoeller stated that was correct, and he continued to say that one of the things he and Mr. Miller talked about as due diligence we sort a second geotechnical opinion on the foundation and the borings that were achieved from Craig Drilling, we received them that Friday, the second geotechnical recommendation was to go to timber piles. Mr. Zoeller didn't have formal quotes yet, but knowing he was coming here tonight, he was able to find out that the reduction for the timber piles instead of the steel pods filled with concrete is about \$64,000.00, so that reduces the price from originally \$240,000.00 was the adder with the concrete tubes and the concrete filling with steel tubes and we reduced that by \$64,000.00, so right now we are at an additional \$176,000.00 and if we put that together with our quote for the materials and what everything in terms of the MUSCO system, installing new lines and new service right now, again he doesn't have quotes for this change with the timber piles, this is just a quick estimate he was able to get, the total cost is now about \$459,000.00. Which puts us, as he learned tonight with the budget, about a \$43,000.00 difference, we were able close that gap sufficiently with the timber pile. We will continue to solicit quotes and negotiate now with the pile contractors and try and get that number down and see how close we can get within that \$43,000.00. Councilman Bartelloni referred to the report from August 2016, it seems that it is very sensitive to the experts being out there constantly, is that more so than the other design, Mr. Miller stated it was about the same. It is standard practice for geotechnical inspectors (inaudible). Mayor Mignone stated he was very familiar with Mr. Gouda, and could vouch for his credentials and he doesn't dispute what he said, but it seems he was just asked whether to consider the timber or what was his charge, he didn't mention helicoid and he thought now would he consider accepting timber then helicoid may be in play yet. Mr. Miller said he was asked to do a peer review, we didn't give him direction or say helicoid, although, Mr. Miller looked at helicoid and attended a seminar about two weeks ago, so from their stand point this is what they are recommending. The helicoid piles only go a certain depth and so we are at their limit at this depth. Mayor Mignone asked Mr. Negreann if we were still considering purchasing through Keystone, and the answer was yes, but we didn't have all of our documentation. Mayor Mignone continued by saying with that a side he didn't know and some guidance from the attorney may be needed, how we handle this legally, would we have to have a separate foundation design and bid that separately would that be a project in upon itself which is several thousand dollars, he knows you have cost for install but this is not a normal install and how does this work under the confines of the Keystone agreement or us being in conformance with the procurement laws. Mr. Zoeller stated that under the Keystone network part of the system is the foundation design that is why the structural engineer is what MUSCO has and provides structural designed based upon the recommendations of a geotech and they take that information. So as far as Keystone goes, we have done projects under Keystone that are non-standard soils and have different twists to the foundations so in into itself is inclusive as far as he knows and he dealt with Keystone. Mayor Mignone asked where the Borough's assurance is for the cost for the foundation design is competitive, because to be honest, he thinks MUSCO's numbers are very high compared to what he has seen on other projects and he doesn't know whether it's because of other uncertainties or other factors, but if it's not being bid or we don't know that, how do we have assurance the cost that we are paying for the foundation installation is...Mr. Zoeller said that was an excellent point, when we have to deal with under Keystone purchasing networking we have to follow RS-means for all or our construction costs and all of the installation and labor, everything has to follow that process. Up to this process we have been exploring this situation with the foundations, so one of the things we have going to do is take it to

three different pile contractors to get a best price on the pile, meaning they will have to meet the RS-means requirements for costs of installation, cost of contractor and labor. We have to also meet the prevailing wage as well. Mayor Mignone said that doesn't necessarily mean that if we publicly bid it we may get a cheaper cost. You had included, or we were providing in one of these documents for comparison the project that was done in Little Ferry, the foundation wasn't broken down, it was a lump sum purchase installation. There is no documentation as to what the foundation was proposed or what the breakdown was of that cost which was around \$435,000.00 from what he remembers and he is guessing that the cost for the lights themselves was probably along the order of three and change. Mr. Zoeller agreed with the Mayor and said unfortunately that they didn't do a great (inaudible) with the bid, the bid was a lump sum bid. Mayor Mignone questioned if they did know since they made a note that the cost for the lights themselves was similar or proportional to what ours is, Mr. Zoeller agreed, Mayor Mignone stated that he was trying to project out and he was assuming that Little Ferry had very similar soil characterizes as to what we are probably...Mr. Zoeller said no we are actually did no, the footing themselves in Little Ferry were basically just larger than stander they were what we call "suspended" they just had to go a couple of feet below what the standard foundation sizes would have to be, so they were pretty close to standard. We were quite surprised when the geotechnical group was considering its proximity to the lake and all that is involved there. Mr. Zoeller stated that again the KPN does have a provision where the township or the borough can purchase the lights on KPN and KPN can do the installation if that is something you want to look at. You can go ahead and bid the installation and get competitive bids on the installation. We did have a project recently in New Providence where they bid the project for equipment where the contractor was bidding the equipment, MUSCO was bidding the equipment, and the contractor was bidding the installation, and they were quite happy with the fact that using the Keystone purchasing network the most of MUSCO equipment was sufficiently less than the cost from the contractor and then they took the installation from the contractor. That is something that can be done. Mayor Mignone stated he didn't know if that was the best way, he just wanted to make sure going forward that the borough was getting...Mr. Zoeller said that he would be happy to share with Mr. Miller and Bobbi the quotes that he receives for the pile foundations. Mayor Mignone made reference to a project he had done with concrete filled steel piles, almost the same thing, more in number, and sufficiently discrepancy in the numbers in the estimates and it was enough difference where you say you look back and say its 60% , what are you seeing or what are we not seeing in the probable cost. We want to be sure whatever foundation you design, to go further all costs being equal, is timber the way to go for longevity, and if lights are supposed to last 35 years, do we want timber piles in for 35 years or do we want to pay more and have the concrete built after all. Mr. Zoeller said that would be part of the Structural Engineer of record providing that the foundation with the timber piles because he is utilizing what we have in the geotechnical report he is utilizing this data and so therefore he is going to be the one putting his stamp and seal on the foundation design and he knows the system because this structural engineering firm does all the MUSCO foundations worldwide, he understands our system very well. We are warranting the system which would include the foundation and the foundation design for 25 years. Mayor Mignone asked they did a project in Edgewater, Mr. Zoeller replied yes they did. Mayor Mignone asked what kind of foundation they had, and Mr. Zoeller thought they also used timber piles. He mentioned they did Overpeck Park and those were timber piles. Mayor Mignone asked him to look at their cost to see what they paid. Mr. Zoeller agreed and said that the way the project and the way we came up with the project originally because there was water adjacent to the property, he thinks was a river, that's

why when Bobbi and he spoke in January of 2013 he recommended doing the geotech report because conditions can vary, at Fairleigh Dickenson the soccer field right next to the river, we only had to drop some steel casings. We didn't have to go to pilings there because there is more solid clay substance underneath the soil once we got down ten to 14 feet, here we had all the (inaudible) material. Mayor Mignone said that he thought that if there was a, he didn't want to call it an error, but was the presumption was the worst case scenario for an alternate foundation was going to be \$40,000.00, and he thinks that was what he reacted to, and he thinks that was what other council members reacted to also. We are prepared for \$40,000.00, \$260,000.00 is another, and knowing the potential down there we knew the foundation for the soils were not ideal to begin with, maybe you could have been a little more conservative on that number at the beginning ...Mr. Miller said it would have been very difficult for us what's more than a few feet to take three geotechnical to have them look at this site and do some of the geologically data that they have, its challenging. Look you just talk about Fairleigh versus here, so that is why initially they were shooting to get this done. Mayor Mignone said that he would just quibble with the process, we knew this was going to be a potential issue and probably should have been done earlier in the process then when it was done, we didn't do the borings until May, both Mr. Zoeller and Mr. Miller agreed. Mayor Mignone continued by saying here we are in August, and there are two issues, we have insufficient lighting, as stated on the record, which we want to get rectified. The other problem we have is that we have grants that are attached to this which we are now in jeopardy of not meeting those deadlines if we wound up with more complications with this project and delay it further. We have a sufficient amount of grant at stake here, \$90,000.00. Mayor Mignone wanted to confirm this was recommendation was the best way, we can't reuse and we can't retro fit, and Mr. Zoeller agreed. Councilman Bartelloni had one question to the area itself, what impact will having the machine come in to pile drive the poles in first putting in the concrete do to the surrounding areas, will there be property damage in terms of the machinery. Mr. Miller stated there could be some on the surface you will have to clean it up week to week, a good part or the whole parameter. Pilling driving does have a cone of influence, but not really a lot. Mayor Mignone did say it was a soft material. Councilman Bartelloni said he was trying to weight the two if there is residual other costs outside the project to remediate once it done. Mayor Mignone said he thinks we would want to monitor the pistol range and the snack stand, but doesn't anticipate a problem driving. Mr. Zoeller stated the disturbed will be prepared, that is part is included in our pricing to see that that is restored. Councilman Bartelloni asked the Recreation Commission what they had to say, he was curious what they had to say versus the two proposals, timber piles versus concrete. Bobbi Conway stated that the Recreation Commission is leaving that up to the engineers, but the commission would like to go forward with this project since they have been working on since 2011. They have a letter of intent for Bergen County for application for 2016 which is due in 2 days, which they would to discuss tonight. Councilman Bartelloni wanted to know if the Recreation Commission wanted to go for the timber poles now or hold off and get the funding in place for the concrete poles, he wanted to know if the commission of the commission had a position on that. Ms. Conway said the commission hasn't had a chance to discuss to it yet. (Because Ms. Conway is speaking from the back of the room it is inaudible) Mayor Mignone stated he didn't think they had the answer, there are a few issues, and the foundation design is now an added cost because it was not contemplated under your original contract. Mr. Zoeller said that MUSCO was providing the original foundation design. Mayor Mignone said he knows it wasn't included in Mr. Miller's contract. Mr. Zoeller stated it was included in his and there would be no change to his contract. Mr. Miller felt that Mayor Mignone was referring to additional onsite for geotechnical, Mayor

Mignone said he wasn't worried about construction that was a different issue that would be part of the construction codes. He was trying to get the design, and he asked who engaged Mazur Consulting, Mr. Miller voiced he did. Mayor Mignone said he would like to see Mr. Gouda's final opinion say this is the best way to go. He thinks he was charged with, Mr. Gouda said the owner requested the use, we didn't and he doesn't know who did, or where they got this information from, and that seemed to be what he was focusing on, and when he went to the timber pile because of the higher capacity but the question is for Mazur or someone else to look at is what are the three options. Is it the steel concrete, is it timber, and they should have the experience to know what the cost should be and then we would know if your process doesn't make it cheaper and he knows from public bidding it came be cheaper from public bidding then we look at it that way. That is what we need to do to close this out so we know what is the best technical option and what's the most likely probable cost, we want to try and narrow it down because we only have so much money allocated now and he doesn't know how much more we are going to need and where we are going to get it this year. Mr. Negreann stated as Ms. Conway has said if we have a letter of intent we would like to get the council's permission to apply for an Open Space grant through the county, so before leaving this topic we would like this council to consider that. Councilman Papaleo wanted Mr. Negreann to explain the letter of intent, would it cover the additional cost. Mr. Negreann replied by saying no it would be a part and certainly up to the county to allocate, typically we have gotten about \$30,000.00. Mayor Mignone stated this is the regular Open Space Trust Fund application and the county this year, which is usually due later in the fall, has required towns to submit notices of intent early. The regional funding has been become less and less every year, more competition every year for the money, so they are looking for towns that have projects ready and are serious when you put your application in about, if we give you the money you are going to do the project. As Mr. Negreann said, we will probably get about \$30-40,000.00. Councilman Papaleo said so we are trying to figure out whether to include this in the letter of intent, is that what they are asking guidance for, Mayor Mignone replied yes. Mayor Mignone said that he thinks the commission would also have to come up with an alternate in case, when we get an original meeting when they decide that this is something they don't want to support, generally we step back, we had gotten an original allocation from Open Space Trust Fund in 2015, and in 2016 we asked them to reallocate that portion to this project but that was with the expectation that this project would have already started. Now that it hasn't it may be a harder sell on the county level to ask for a third allocation but we will certainly advocate it strongly, it makes sense and the project will be completed, but he still thinks the commission should have a backup in case they decide that's not an appropriate project for them. Councilwoman Busted it is certainly the first order of business to approve the letter of intent to support their recommendation to support this Open Space allocation, they can come up with an alternate after August 10<sup>th</sup>, Mayor Mignone agreed, along with Councilman Papaleo. A motion was made to submit the Letter of Intent for the Borough's 2017 Bergen County Open Space Trust Fund application for further improvements for lighting at Kenneth B. George Park.

Motion by Councilman Papaleo, second by Councilwoman Busted to approve.  
All in favor 4-0

Councilman Bartelloni asked when the money becomes available, Mayor Mignone replied next summer. Councilman Bartelloni stated because the 2015 Open Space expires in July of next year, Mayor Mignone stated that was correct, the project has to be ongoing, they won't pay for a project that is completed. Councilwoman Busted asked

what the next step would be, Mayor Mignone replied that he thinks it would be to come up with a final recommendation, the foundation shouldn't take all that long and once we get that and some refined cost estimates we can decide which way to go further and we will know better if we need to, asking Mr. Negreann how much money the borough now had. Mr. Negreann replied \$417,137.00 is now allocated. Mayor Mignone said that we didn't know what we charged towards that, and Mr. Negreann agreed and said that he thinks most of that is free and clear and he doesn't have any engineering, it's all construction and it's all available. Mayor Mignone asked if we already paid \$30-40,000 for engineering, and Mr. Negreann that wasn't part of this. Mayor Mignone asked Ms. Conway if that sound correct. Ms. Conway replied it keep separate (inaudible). Councilman Papaleo said that we needed for them to come back in September or at least send us a report. Mayor Mignone felt they didn't need to come, just put together a summary for us with a recommendation, we are not going to get into a technical discussion over the merits of it. Councilman Bartelloni said if Mr. Gouda comes back and says if timber poles are great and they will last, don't worry about it, and you give us the estimate, Mayor Mignone said we are given an estimate, and it is definitely less and we decide we want to publicly bid that part we will figure out the logistics to get it done, but it's not... Councilman Bartelloni said it's not done before or next season as opposed to then we have to wait until next season... Mayor Mignone said the construction won't be long or tedious, it should be months. If we do it over the winter, generally we get better pricing, it might work out. Councilman Bartelloni said he was much happier to hear the \$450,000 number then the \$650,000, to which everyone agreed.

2. Risk Consultant's Annual Report – Mr. Ezio Altamura presented the report starting with the paperwork on the right side, this contained the following information what they do as the risk consultants for River Edge, a list of other towns they represent, their resumes, the 2016 plan of Risk Management listing all the coverages, limits, and deductibles. On the left side you will find information regarding MEL, a five year claim synopsis, recommended insurance requirements when bidding jobs, a form for anyone requesting to be added to my email list, and financial statements for both the Bergen JIF and MEL.
3. Cherry Blossom Park – Mayor Mignone started by saying that everyone wanted to wrap this project up and the only issue he had was the language in the email about this erosion issue. It seemed on one hand Downes was proposing a solution and at one point it appeared based on your language that it should have been filled under contract and then under a subsequent email you had referred to it as a gray area. So the question to him, if we resolved that, was that a gray area, is that a gray area, is this something Downes is responsible to do, if not then lets figure out a way to close this up and get this project closed out. Mr. Miller stated that in his mind he didn't have the fabric and the ground (inaudible) or whatever that solution that be unforeseen circumstance that is the gray area in the contract, that is the he approached in the contract. The good thing is we looked at this just a few days ago last week and it's really not growing any and it's what he calls self-healing, it's only an area of about 5x10, and its water coming off from the adjoining property. Mayor Mignone said beside that he asked if the grass area had been put down by Downes, Mr. Miller's reply was some of it, Mayor Mignone comment that it was in very poor condition, along with some planting, which he doesn't know if they were done by Downes or not, are dead and there is evidence of erosion elsewhere but that is where you are going to have mulch. Mayor Mignone asked Mr. Miller if he was satisfied if Downes did more than an adequate job. Mr. Miller's replied if you are saying the plantings are dead, Mayor Mignone said he didn't know what the design called for around the depressed areas, but there are weeds coming through, and he didn't know if fabric was put down there of what their operation was. Mr. Miller was the weeds were a maintenance issue,

the planting was done, Mayor Mignone replied he didn't know if they were there and the grass also if they did it or not, that looks a little...Mr. Miller said up near the road is pretty much was there...Mayor Mignone said he didn't know what was existing and what wasn't so maybe you should give it one final look and see what may have been under their contract and what wasn't, Mr. Miller agreed to that. Councilman Papaleo stated he was the site and the erosion is quite significant and it's just not a 5x10 area it continues down the property's grading, Scott Howard wanted to close this issue out and he said he thought a simple fix would not be to put down more netting but to create what he described as a dry creek, it would be a cost effective solution because this water movement will keep happening because of the way the parking lot is designed in the adjoining neighborhood and the way it falls. Councilman Papaleo was hoping Mr. Miller could address or discuss that because it seems to be a low cost good solution that has long term low maintenance application. Mr. Miller said what he thinks what was spoken about was putting in an inlet in a pipe which then, Councilman Papaleo said talked about that and also about putting in a stone dry creek, Mayor Mignone said he doesn't see it as that he thinks there is erosion more than just coming from that little corner, we can most certainly just pour some concrete and prevent the water from coming to the corner if that was the only issue, but it's not. The erosion is also on the front of the property and some further down, there is a breach in the corner, (simultaneous talking) Mr. Miller stated that after that meeting he went to the District Manager and meet with Joe Kozel, from North American Green, and asked him what thought would be was very simple which he proposed, which we took back to Scott Howard and we all agreed regrading of the area and then seeding with a nurse crop with something like a Crown Vetch or Clover and lay the fabric down, and we also talked about putting stone down on top of that to make it a little bit more decorative. Mayor Mignone asked didn't they give us final certification or note, Mr. Miller replied (inaudible) just for this issue and he said "fix this he'll come out when it's done and he'll approve of it." Bobbi Conway said there is a group that is meeting on Saturday to go down and put down and put fabric down and stones with the help of Scott and Joe Kozel. Michelle Cariddi had handouts and said there are possibilities to remedy this. Mayor Mignone asked isn't the remedy to stop the water from coming. Alicia Armental said it can't be stopped, they were there last week and the Growing Gardens had their sprinkler on for the kids and we saw the water pool, the concrete is pitched. Mr. Miller said as you know historically the water comes there that way across the property and there hasn't been an issue, but now we have a little bit of a slope so it's an issue but it's coming from that parking lot. It's not really a big area, but it's enough to...Ms. Armental said there are two big boulders/rocks that are higher than the Belgium blocks, Scott suggested we take those down to help flow of water. Mayor Mignone said he wouldn't that, if there is an issue with their drainage they would need to address the issue, that's one thing, if its sprinklers that is something that is controllable. Their vetter is not well positioned well either on the side of the building so it looks like it discharges to that area also, which can be extended also to reduce the amount of water that flows back there. Again if it's something that is going to be ultimately an attractive improvement then we really aren't talking about that's a problem. We shouldn't have to force a solution for a problem caused by something else. (simultaneous talking) Councilman Papaleo said this is the solution Scott Howard is endorsing, and asked Mr. Miller if he was endorsing this solution, to which Mr. Miller replied yes. Councilman Papaleo felt this problem could be solved concurrently. Mayor Mignone felt that if the water problem was solved then this would need to be done. Councilwoman Busted stated if we have heavy rain (simultaneous talking) Mr. Miller said technically our standpoint is if Chris were coming tomorrow from offsite that is part of what happens, we can't stop that water, put a dam there, we are just going to take care...Mayor Mignone said that if this was someone's house we would, if someone lived on this property and not our park we would certainly tell these people you would have to do this and can't do this to your neighbor. You can not discharge your runoff onto an adjunct property.

Councilman Papaleo felt that should be done, but this is a practical solution we can do now. Mayor Mignone said the question is your recommendation would be we can close this out, we still have one more final change order on quantities to close out Downes contract, but by doing so we are reliving him of any obligations going forward. Mr. Miller said there was still a maintenance, Mayor Mignone said he knew that, but we can't come after a maintenance bond unless we tell them there is a problem now, so all these problems are now identified and we are acknowledging them and by closing them out you are comfortable with closing them out. Alan did give us a resolution tonight if we wanted to close the contract. Mr. Miller did say that it was mentioned tonight about some of the planting being dead, Mayor Mignone stated again he didn't know (inaudible). Councilman Bartelloni said there is a series of plantings along the fence line by the school (simultaneous talking) Councilman Papaleo asked Mr. Miller about Phase II where we are putting in the sprinkler system, how much of the system is currently in. Mr. Miller said pretty much the mainline from the front of the property where the backflow preventer is, which prevents back siphoning into the system to the farm area in the back, that main is in. Councilman Papaleo asked if any of the branching lines, or heads, or pump, Mr. Miller said no because we haven't really designed or decided anything. Mayor Mignone asked if there was an irrigation system there previously because today there was one sprinkler head he saw against the curb and a piece of tubing or piping sticking out of the ground. Mr. Miller said there were some heads put in originally but its mulch at this point (simultaneous talking) Mayor Mignone said there was at least one that he saw whether it was operable or not he didn't know, but there was a broken piece of pipe sticking out of the ground to, which he doesn't know was pre-existing or not. Councilman Papaleo said his concern is the property is suffering in this heat and his thought maybe if we can't afford Phase II next year we should at least consider the sprinkler system to some degree even if we have to modify, because right now the Cariddi's are using a hose or filling up bags on the trees trying to keep things alive. He is really addressing this to the council that we need to consider this in our capital budget and in order to do that we need to know how much of the system is there and we need to know what a sprinkler system would cost for our next capital budget year concerns and Open Space. Councilman Bartelloni said that Mayor Mignone brought this up at the last Recreation Commission meeting, that what we need from Rec. is their 5 year plan for all their facilities, we need to know your time table for the park because we don't know that right now. Right now our intent for county Open Space is for lighting next year, we need to know what your thoughts are so we can properly plan this out. It's not fair because Michelle is out there filling bags for trees, she may be the chairperson for Beautification, but she going above and beyond. Mayor Mignone addressed Mr. Miller by saying the stone bed that is against the fence where the tree farm is was meant to accept or dissipate water, Mr. Miller replied to dissipate water, Mayor Mignone asked from where, Mr. Miller said that if you have a big enough storm it will work its way down as it builds up it will dissipate the water from the tree farm. Mayor Mignone said from a maintenance standpoint it's an unattractive nuisance, it's just clogged up with leaves and weeds and it looks terrible. Mr. Miller said when we talked about this solution, we talked about riff/raff and no riff/raff and (inaudible) and stone, and those kind of issues. Mayor Mignone said it didn't look nice down there, and the other question he had was on the sign, and he didn't believe that was the kind of sign we needed there and if it was one of those 1x2 they provide to us for a construction sign, putting an 8x4 sign in the back where no one ever sees it isn't their intent. They would probably want us to put their little mental sign, which is actually a little more attractive then what's there. A motion was made to add this resolution to this to the consent agenda, amend change order #5 to amend the contract for Cherry Blossom Park Phase I Downes Tree Service, Resolution #16-316.

Motion by Councilwoman Davis, second by Councilman Papaleo to approve.

All in favor 4-0

Councilman Papaleo wanted to mentioned that he and Councilman Bartelloni thought that as a council needed to step up a little bit more to direct DPW and have some conversations with Shade Tree because right now it's just not, it can not be Beautification and Recreation's sole responsibility, it's too demanding, especially Beautification. You need to remind us to put this on a work agenda before we get to the end of the year because we need to have more conversations with you and maybe John Lynch and maybe Shade Tree and try and figure out something that will turn this borough property into something that we all can be proud of given our current budgetary financial restrictions.

**MOTION TO ADJOURN WORK SESSION @ 8:24 PM**

Motion by Councilwoman Davis, second by Councilman Bartelloni to adjourn.

All in favor 4-0

**MOTION TO RETURN TO WORK SESSION @9:11PM**

Motion by Councilwoman Davis, second by councilwoman Busted to open.

All in favor 4-0

**WORK SESSION CONSENT AGENDA (acted upon during Regular Meeting)**

1. Approve Resolution Releasing Performance Bond for Marini Brothers for the 2015 Fifth Avenue Road Improvements, Section 2 in the amount of \$215,920.00.
2. Approve Resolution Releasing Performance Bond for Reggio Construction, Inc. for the River Dell Middle School Safety Improvement Project in the amount of \$165,370.00.
3. Approve Resolution Releasing Performance Bond for Reggio Construction, Inc. for the 2015 Fifth Avenue, Section 3 Project in the amount of \$152,783.00.
4. Approve Resolution Releasing Performance Bond for Reggio construction, Inc. for the 2015 ADA Curb Ramp Project in the amount of \$110,530.00.
5. Authorize the Release of a Performance Bond for Yeshiva of North Jersey, LLC, 666 Kinderkamack Road in the amount of \$24, 864.00.
6. Approve Resolution Authorizing Mayor to Execute a Developer's Agreement with Marti Realty, LLC (7 Eleven) for the Property Located at 125 Kinderkamack Road, Block 1406, Lot 3.
7. Approval to Waive a Portion of the Police Outside Duty Rate for the Bergen County Historical Society Event on September 25, 2016.

**MAYOR'S REPORT**

No report for this meeting.

**UNFINISHED BUSINESS**

Grove Street –

Borough of River Edge Senior/Community Center – Mayor Mignone said they do hope to have something at the next meeting.

Generator-Fire Company #2-Construction Start – Councilman Papaleo stated that the generator is complete as far as he can tell and is up and running and asked Mr. Negreann to confirm this. Mr. Negreann said there is a small punch list to go and manuals have to be turned over to DPW and the majority is just about done. Councilman Papaleo thanked Mr. Negreann publically for his hard work on this and with FEMA for the documentation and the changing rules and all his efforts. Mr. Negreann thanked him and said that FEMA called him and said it was an “immaculate submission”. Mayor Mignone said the credit goes to you for seeing it through, not many people have that kind of patience.

Shade Tree Commission – Mr. Sarlo said he is just about done, and hoping to put this on for discussion with a memo and recommended changes for the second meeting in September. Any potential changes we act on we should have time with introductions in the beginning of the year, we have two months. We are going hopefully have something for you ahead of time the second week of September for discussion.

Sidewalk and Curb Responsibility – Mr. Sarlo said this was also coming, both be coming hand in hand.

## **NEW BUSINESSES**

Councilman Bartelloni asked the Clerk about status of Cablevision line. The Clerk said the line has been approved, but no installation date has been given yet. Mayor Mignone asked if that would preclude us from getting the video hookup with FIOS. The Clerk replied Verizon required us to install the internet in the building for live streaming. Mayor Mignone what to know if that conflicted with the service we have now providing internet with Cablevision, or we going to be double paying for internet coverage. Councilman Bartelloni said he didn't think we had internet through Cablevision in this building, we have cable through them, Wi-Fi. Mayor Mignone said that was his question, he didn't want to have to overlap or double pay. It seemed to him they were saying we had to implement more then, it's not just getting one connection that was the question, if we have 15 internet connections somewhere in different buildings and they are all through Cablevision what is the impact, are we switching all our connections to Verizon, that is the question. The Clerk replied we will be receiving internet with only the capability of having Wi-Fi with just 5 access lines. Mayor Mignone asked where the internet would be connected inside, the Clerk replied current through cable, and Mayor Mignone asked is Verizon saying we would have 5 IP addresses to FIO's. Councilman Papaleo asked if these would be addition addresses in order to prorogate or to provide the video coverage, they are really dedicated. Mayor Mignone said they were not really clear on what the 5 were and they said you can assign them wherever you want, but we were going to do that than do we take away Cablevision currently. Councilman Papaleo said we currently do not provide Wi-Fi access to the attendees to the Mayor and Council meetings, is it possible to provide free Wi-Fi access through this Verizon ability so that everyone sitting here wanted to access something like I often. If we could accept this rotor and it has this capability that would be a nice perk. Mayor Mignone said that they did offer that. The Clerk did say that it would be limited to so many, just like Optimum only has 10. Mayor Mignone asked Mr. Negreann about the procurement, do we need a resolution from council to authorize a change or is that something we can do administratively assuming we have the budget for. Mr. Negreann said it's probably a utility, which is an exception. Mayor Mignone asked if the Clerk remembered the cost off-hand, and she didn't.

## **MOTION TO OPEN TO THE PUBLIC**

Motion by Councilman Bartelloni, second by Councilman Acquafredda to open.

All in favor 4-0

## **MOTION TO CLOSE THE PUBLIC HEARING**

Motion by Councilman Bartelloni, second by Councilwoman Davis to close.

All in favor 4-0

## **MOTION TO ADJOURN AT 9:19 PM**

Motion by Councilwoman Davis, second by Councilman Bartelloni.

All in favor 5-0

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Stephanie Evans, RMC Borough Clerk